



NR 445 - Section 112 Interface

NR 445 Technical Advisory Group
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Bureau of Air Management



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Objective

- ◆ To explain the interface between state & federal hazardous air pollutant programs considering:
 - ◆ *Sec. 285.27(2)(a), Stats.*
 - ◆ *Differences in the methods of regulating HAPs*
 - ◆ *Differences in standards promulgated under sec. 112 of the Clean Air Act*
 - ◆ *Differences in effective dates of federal and state standards*



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285.27(2)(a), Stats.

(2) Emission Standards for Hazardous Air Contaminants

(a) *Similar to federal standard.* If an emission standard for a hazardous air contaminant is promulgated under section 112 of the federal clean air act, the department shall promulgate by rule a similar standard but this standard may not be more restrictive in terms of emission limitations than the federal standard except as provided under sub. (4)*.

*Note: (4) will rarely, if ever, occur.



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A Breakdown of 285.27(2), Stats.

“Cannot Be More Restrictive In Terms Of Emission Limitation”

"Emission limitation" or "emission standard" means a requirement which limits the quantity, rate or concentration of emissions of air contaminants on a continuous basis. An emission limitation or emission standard includes a requirement relating to the operation or maintenance of a source to assure continuous emission reduction. (285.01(16), Stats.)



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A Breakdown of 285.27(2), Stats.

“Cannot Be More Restrictive In Terms Of Emission Limitations For A Hazardous Air Contaminant Promulgated Under Section 112 Of The Act ”

Key elements of Section 112 Standards

- ◆ *Promulgated for specific source categories*
 - ◆ *about 170 source categories*
- ◆ *188 HAPs listed in Section 112*
- ◆ *MACT Standards are technology-based*
- ◆ *Future standards for residual risk for ?*



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Requirements for Source Categories "MACT"

- ◆ Requirements for Source Categories "MACT" Requirements generally:
 - ◆ *apply to major sources of HAP emissions (10/25 tons of a Federal HAP(s))*
 - ◆ *are based on an average of the best performing sources in the category*
 - ◆ *include control technology, process changes or work practices*
 - ◆ *limit quantity, rate or concentration of emissions*



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Requirements for Source Categories "MACT"

- ◆ Requirements may:
 - ◆ *apply to an area source of HAP emissions*
 - ◆ *apply only under certain specific operational conditions*
 - ◆ *not regulate all sources of HAP emissions at a facility*
 - ◆ *name specific HAPs, use a surrogate substance, or regulate categories of HAPs (e.g., volatile organic compounds)*



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Examples of MACT Requirements

- ◆ Printing & Publishing Industry
- ◆ Wood Furniture Manufacturing Operations



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Printing & Publishing Industry

- ◆ Applicability of chapter
 - ◆ *“facility that is a major source of hazardous air pollutants at which publication rotogravure, product and packaging rotogravure, or wide-web flexographic printing presses are operated”*
- ◆ Applicability of emission standard
 - ◆ *publication rotogravure printing*
 - ◆ *product and packaging rotogravure printing*
 - ◆ *wide-web flexographic printing*
- ◆ HAPs regulated
 - ◆ *not identified in regulation by name*



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Printing & Publishing Industry

- ◆ Emission limitations
 - ◆ *publication rotogravure printing*
 - ◆ *limit organic HAP emissions to 8% of total volatile matter (monthly)*
 - ◆ *substitution of a non-HAP or control device (any combination)*
 - ◆ *product & packaging rotogravure & wide-web flexographic printing*
 - ◆ *limit organic HAP emissions to one of the following:*
 - ◆ *5% of the organic HAP applied (monthly)*
 - ◆ *4% of the mass of inks, coatings, varnishes, adhesives, primers, solvents, reducers, thinners, other material applied (monthly)*
 - ◆ *20% of the mass of solids applied (monthly)*
 - ◆ *a calculated equivalent (monthly)*



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Wood Furniture Manufacturing Operations

- ◆ Applicability of chapter
 - ◆ *“facility that is engaged, either in part or in whole, in the manufacture of wood furniture or wood furniture components and that is located at a plant site that is a major source of hazardous air pollutants”*
- ◆ Applicability of emission standard
 - ◆ *finishing operations*
 - ◆ *cleaning operations*
 - ◆ *contact adhesives*



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Wood Furniture Manufacturing Operations

- ◆ HAPs regulated
 - ◆ *Over a hundred volatile hazardous air pollutants identified by name*
- ◆ Emission limitations
 - ◆ *finishing operations (any combination)*
 - ◆ *monthly weighted average (lb VHAP/lb solids as applied)*
 - ◆ *use compliant materials (lb VHAP/lb solids as applied)*
 - ◆ *control device (equivalent degree of reduction)*
 - ◆ *cleaning operations*
 - ◆ *use compliant coatings (lb VHAP/lb solids as applied)*
 - ◆ *contact adhesives*
 - ◆ *use compliant adhesives or control device*



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Proposed NR 445 Applicability

- ◆ *Emissions limitations and control requirements in this chapter do not apply to hazardous air contaminants emitted by the emissions units, operations or activities subject to an emission standard promulgated under Section 112.*



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Proposed NR 445 Applicability

- ◆ *Subject to an emission standard promulgated under Sec. 112 means the hazardous air contaminants that are:*
 - ◆ *specified in the MACT standard*
 - ◆ *regulated via a surrogate for the contaminant*
 - ◆ *not specifically named but regulated and controlled as a category of HAPs (e.g., VOCs, particulate matter)*



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The Timing Issue

- ◆ *MACT standards have been promulgated or are in process of being promulgated.*
- ◆ *Backsliding provision found in NR 445.01(1)(b) will be deleted.*